

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

LEXINGTON INSURANCE COMPANY

Plaintiff

v.

DAVID FORREST,  
T BEAUCLERC ROGERS IV,  
STANLEY MUNSON,  
MARTY FINK,  
NEW BEGINNINGS ENTERPRISES LLC,  
and TARLO LYONS

Defendants

CIVIL ACTION

NO. 02-4435

**AFFIDAVIT OF CONRAD KATTNER  
IN SUPPORT OF  
MOTION OF DEFENDANT STANLEY MUNSON  
FOR JUDGMENT ON THE PLEADINGS  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 12(C)**

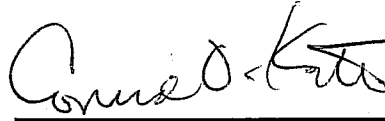
COMMONWEALTH OF PENNSYLVANIA       )  
COUNTY OF PHILADELPHIA               )       ss:

CONRAD O. KATTNER, being duly sworn, deposes and says:

1. I am admitted to practice before this Court and a member of the firm of McShea & Tecce, P.C., Bell Atlantic Tower, 28<sup>th</sup> Floor, 1717 Arch Street, Philadelphia, PA 19103. I make this affidavit in support of the Motion of Defendant Stanley Munson for Judgment on the Pleadings Pursuant to Federal Rule of Civil Procedure 12(c).

2. Annexed hereto as Exhibits D and E to that Motion are what I believe to be copies of the Flashpoint Ltd. (Jersey) and the Flashpoint (UK) Collateral Agreements with regard to a four film transaction called "Filmworks," identified in these documents as part of Hollywood Funding No. 5.

3. The version of the documents annexed hereto was served by plaintiff Lexington Insurance Co. with its First Requests for Admissions, of which Nos. 14 and 15 sought admissions of their authenticity from Stanley Munson. The requested admissions were made.



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Conrad O. Kattner

Sworn before me this

27<sup>th</sup> day of January, 2005

